

No. 4:13-CR-00034-F-1  
No. 4:16-CV-00036-F

MICHAEL WAYNE ROUSE, JR.,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

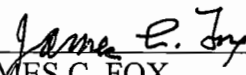
## ORDER

This matter is before the court on Michael Wayne Rouse, Jr.'s Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-43]. Having examined Rouse's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

Rouse asserts a challenge based on *Johnson v. United States*, 135 S. Ct. 2551 (2015). The Office of the Federal Public Defender will not be appointed to see if Rouse may qualify for post-conviction relief pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015) because the Office of the Federal Public previously made an appearance pursuant to Standing Order No. 15-SO-2 and moved to withdraw.

SO ORDERED.

This 18<sup>th</sup> day of April, 2016.

  
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JAMES C. FOX  
SENIOR UNITED STATES DISTRICT JUDGE